

Notice of Allowability

Application No.

09/579,789

Examiner

Rob Rhode

Applicant(s)

REIFEL ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/11/05.
2. ☒ The allowed claim(s) is/are 1 - 9, 11 - 13, 19 - 26, 29 - 37, 40 - 42, 45 - 48, 56 - 75 & 77 - 96.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/1/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

Response that was received on 7-11-05 is acknowledges and entered.

The applicant amended the specification and claims 1, 2, 11 and 40 and canceled claims 10, 14 – 18, 27 – 28, 38 – 39, 43 – 44, 49 – 55 and 76.

Currently, claims 1 – 9, 11 – 13, 19 – 26, 29 – 37, 40 – 42, 45 – 48 and 56 – 75 and 77 - 96 have been examined and are allowed with this Examiners Amendment and the approval for this Examiner's Amendment was obtained from Mr. Ackerman on 9-12-05.

In the claims

The following claims have been rewritten as follows:

1. (Currently Amended) A method for providing cameras to consumers in exchange for a commitment, the method comprising the steps of:

providing an electronic network through which a camera provider electronically communicates with a consumer to generate a contract, said contract comprising the terms for:

offering by said camera provider to provide said camera for a commitment by the consumer to purchase at least a first amount of image reproductions from a specified image processor within a selected amount of time, and

Art Unit: 3625

committing by said consumer to purchase at least the first
amount of image reproductions from said image processor
within the selected amount of time;
determining via said electronic network that the consumer has at
least one of a plurality of financial instruments;
providing the consumer with the camera, in response to the
consumer entering into the commitment and determining
~~contractual interface~~ via said electronic network that said
consumer has at least one of the plurality financial instruments;
connecting said camera to electronically communicate via said
electronic network to an said image processor and transferring
images acquired by said camera to said image processor; and
printing reproductions of at least one of the images having access
restricted to said image processor.

46. (Currently Amended) The method as defined in ~~Claim 46~~ Claim 45 wherein
said personal information comprises

consumer name;
consumer identification code;
mailing address;
billing address;
e-mail address;

Art Unit: 3625

other contact information such as phone numbers and fax numbers;

billing information, including credit card information;

preferred print image provider;

reprint / enlargement size preference;

reprint / enlargement size preference;

finish preference;

camera brand, type, and specifications;

internet service type and connection speed;

contract data: picture development and reproduction counters, number of prints remaining to meet contract commitment;

security settings, unlocking keys, activation code; and

usage pattern information.

56. (Currently Amended) A camera distribution system for providing cameras to consumers in exchange for a commitment comprising:

a camera providing entity for supplying provider offering at least one of said cameras for a commitment by the consumer to purchase at least a first amount of image reproductions within a selected amount of time from a specified image processor;

a camera distributed by said camera providing entity to said consumer said camera programmed to restricted access;

Art Unit: 3625

an electronic network that allows electronic communication between said camera providing entity provider and said consumer wherein said consumer commits via said electronic network to purchase of at least the first amount of image reproductions within the selected amount of time and the camera providing entity supplies provider the consumer with at least one of the said cameras, in response to the consumer entering into the said commitment via said electronic network; said specified image processor ~~in~~ for communication with said consumer via said electronic network to receive images acquired by said camera and provide said image reproductions based on said commitment ~~to an image processor~~; and an image printing device having access restricted to said specified image processor for reproduction ~~the secured~~ of at least a first image from said camera.

57. (Currently Amended) The camera distribution system as defined in ~~Claim 66~~ Claim 56, wherein images taken with the camera are permitted to be displayed on a camera display.

58. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56, wherein said camera is connected to communicate via said electronic

Art Unit: 3625

network to grant permission for low resolution versions of images taken with the camera to be transferred from the camera.

59. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56, wherein the image processor receives an order for an image print from someone other than the consumer; and said image processor credits the consumer's commitment fulfillment based on the order.

60. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56, wherein the image processor receives an order for an image reproduction from someone other than the consumer; and said image processor provides the consumer a benefit based on the order.

61. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56, wherein said images are secured within said camera such that at least said first image may only be transferred to said image processor and said the secured first image is received from a terminal connected to communicate via said electronic network to which the said secured first image has been is transferred from the camera.

62. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56, wherein images taken by the camera are secured by the camera until the consumer has fulfilled the commitment and an unlocking code has been

Art Unit: 3625

received by the camera when said camera is connected to communicate via said electronic network.

63. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56, wherein the image processor receives via said electronic network in association with the first secured image at least one of ISO equivalency information, aperture setting information, and shutter speed information.

64. (Currently Amended) The camera distribution system as defined in Claim 56, wherein the camera provided is at least partly in response to an amount paid by the consumer for the camera, wherein the amount is related to the number of reproductions the consumer committed to purchase.

65. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56 further comprising an image securing device associated with said camera to prevent reproduction of at least a first image acquired from the camera by a source not associated with the camera providing entity ~~provider~~, wherein the image securing device encrypts said first image within said camera upon receipt of an encryption key from said camera providing entity ~~provider~~ via said electronic network.

66. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56 further comprising:

Art Unit: 3625

a consumer database in communication with the camera providing entity ~~provider~~ retaining personal information transferred from said consumer to said camera providing entity ~~provider~~.

67. (Currently Amended) The camera distribution system as defined in ~~Claim 67~~

Claim 66 wherein said personal information comprises:

consumer name;

consumer identification code;

mailing address;

billing address;

e-mail address;

other contact information such as phone numbers and fax
numbers;

billing information, including credit card information;

preferred print image provider;

reprint / enlargement size preference;

reprint / enlargement size preference;

finish preference;

camera brand, type, and specifications;

internet service type and connection speed;

contract data: picture development and reproduction counters,

number of prints remaining to meet contract commitment;

security settings, unlocking keys, activation code; and

usage pattern information.

68. (Currently Amended) The camera distribution system as defined in ~~Claim 67~~ Claim 66 further comprising an advertising provider in communication via said electronic network with the consumer database and image processor to associate advertising information with said image reproductions based on said personal information in return for credit toward said commitment for image reproductions.

69. (Currently Amended) The camera distribution system as defined in ~~Claim 68~~ Claim 68 wherein the advertising provider imparts coupons to said consumer based on said personal information.

70. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56 wherein the camera providing entity ~~provider~~ discounts the price of said camera for the commitment by said consumer to purchase at least the first amount of image reproductions.

71. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56 wherein the camera providing entity ~~provider~~ leases said camera as a result of the commitment by said consumer to the purchase of at least the first amount of image reproductions.

Art Unit: 3625

72. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56 wherein the camera providing entity ~~provider~~ offers said camera at no cost as a result of the commitment by said consumer to the purchase of at least the first amount of image reproductions.

73. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56 wherein the camera providing entity ~~provider~~ and the image processor are associated with the camera manufacturer.

74. (Currently Amended) The camera distribution system as defined in ~~Claim 57~~ Claim 56 wherein the consumer reviews said images acquired by said camera and selects desired images acquired by said camera for transfer to said image processor for reproduction.

75. (Currently Amended) The camera distribution system as defined in Claim 56 ~~Claim 76~~ further comprising an image database associated with said image processor to receive and retain said images acquired by said camera and transferred to said image processor.

77. (Currently Amended) A computer readable medium ~~for~~ retaining a computer code which, when executed on a computing system performs a program process for providing cameras to consumers in exchange for a commitment, said program process comprising the steps of:

Art Unit: 3625

providing an electronic network through which a camera provider and a consumer electronically communicates to generate a contract where said consumer acquires at least one camera in exchange for said commitment, wherein said contract comprises the terms for:

offering by said camera provider to provide said camera for a commitment by the consumer to purchase at least a first amount of image reproductions from a specified image processor within a selected amount of time, and

committing by said consumer to the purchase of at least the first amount of image reproductions from said image processor within the selected amount of time;

determining via said electronic network that the consumer has at least one of a plurality of financial instruments;

providing the consumer with the camera, in response to the consumer entering into an said commitment and determining that the consumer has at least one of the plurality of financial instruments;

connecting said camera to electronically communicate via said electronic network with an said image processor;

transferring images acquired by said camera to said image processor;

and

printing reproductions of at least one of images having restricted
access restricted to said image processor.

Reasons for Allowance

The invention claimed in the independent claims 1, 56 and 77 are distinguished from prior art of record, which contains no teachings or suggestions that would have motivated one of ordinary skill in the art to modify the method and system combination disclosed by Zander and Segal with the method and system of Enomoto to have enabled a method and system for the subject matter recited in independent claim 1 as well as 56 and 77. To begin with, Zander discloses a method and system for an apparatus such as kiosk for providing a camera to a consumer, which automatically loads film specified by the consumer. In turn, the camera when returned is automatically unloaded by the apparatus. Moreover, the camera includes memory for storing and communicating information with means supported by the camera to transmit or receive information as well as communicating desired manner for photo-finishing for processing or printing. Furthermore, Zander does disclose a rental agreement but does not teach, disclose or suggest providing a camera for a commitment for processing and printing a set amount of film much less printing these images from a specified image processor. Segal discloses a portable cellular phone, which can be purchased or provided, frequently at discount upon the establishment of a long-term service contract. While Segal does disclose providing a phone for a long-term commitment as well as associated air

Art Unit: 3625

"minutes", the reference does not disclose obtaining any form of return products such as prints from a specified image processor for the commitment of minutes or an associated camera. Moreover, Segal does not disclose a camera associated with the phone and thereby one of ordinary skill would not have been motivated to extend Segal with a camera for commitment for film development associated with a specified image processor for printing of images within a specified amount of time. In turn, Enomoto discloses a method and system for uploading from a camera's current photos to a photo-finisher for printing of the photos. However, Enomoto does not disclose nor would suggest that access to the photo-finisher is limited in any fashion or associated with a contractual commitment, which is tied to a specific image processor in order to obtain a certain amount of photo-finishing/development - in order to fulfill a commitment. Therefore, the combination of Zander and Segal with Enomoto does not teach or would have suggested to one of ordinary skill in art a method, system or medium for providing cameras to consumers in exchange for a commitment, the method comprising the steps of: providing an electronic network through which a camera provider electronically communicates with a consumer to generate a contract, said contract comprising the terms for: **offering by said camera provider to provide said camera for a commitment by the consumer to purchase at least a first amount of image reproductions from a specified image processor within a selected amount of time, and committing by said consumer to purchase at least the first amount of image reproductions from said image processor within the selected amount of time;** determining

Art Unit: 3625

via said electronic network that the consumer has at least one of a plurality of financial instruments; providing the consumer with the camera, in response to the consumer entering into the commitment and determining via said electronic network that said consumer has at least one of the plurality financial instruments; connecting said camera to electronically communicate via said electronic network to said image processor and transferring images acquired by said camera to said image processor; and **printing reproductions of at least one of the images having access restricted to said image processor.**

Discussion of the most relevant prior art, which does not fully disclose nor render obvious the invention as stated in claim 1 as well as 56 and 77:

A. US Patents and PG-Pubs.

(i) US 5,963,752 to Zander discloses method and apparatus for an apparatus such as kiosk for providing a camera to a consumer, which automatically loads film specified by the consumer. In turn, the camera when returned is automatically unloaded by the apparatus. Moreover, the camera includes memory for storing and communicating information with means supported by the camera to transmit or receive information as well as communicating desired manner for photo-finishing for processing or printing. Furthermore, Zander does disclose a rental agreement but does not teach, disclose or suggest providing a camera for a commitment for processing and

Art Unit: 3625

printing a set amount of film. However, Zander does not disclose, teach or suggested a method, system or medium for providing cameras to consumers in exchange for a commitment, the method comprising the steps of: providing an electronic network through which a camera provider electronically communicates with a consumer to generate a contract, said contract comprising the terms for: offering by said camera provider to provide said camera for a commitment by the consumer to purchase at least a first amount of image reproductions from a specified image processor within a selected amount of time, and committing by said consumer to purchase at least the first amount of image reproductions from said image processor within the selected amount of time; determining via said electronic network that the consumer has at least one of a plurality of financial instruments; providing the consumer with the camera, in response to the consumer entering into the commitment and determining via said electronic network that said consumer has at least one of the plurality financial instruments; connecting said camera to electronically communicate via said electronic network to said image processor and transferring images acquired by said camera to said image processor; and printing reproductions of at least one of the images having access restricted to said image processor. Thereby, this method and apparatus disclosed by Zander fails to anticipate the above bolded unique limitations or render them obvious.

(ii) US 6,167,251 to Segal discloses a portable cellular phone, which can be purchased or provided, frequently at discount upon the establishment of a long-

Art Unit: 3625

term service contract. While Segal does disclose providing a phone for a long-term commitment as well as associated air "minutes", the reference does not disclose obtaining any form of return products for the minutes used or an associated camera. Moreover, Segal does not disclose a camera associated or provided with the phone. Furthermore, Segal does not disclose, teach or suggested a method, system or medium for providing cameras to consumers in exchange for a commitment, the method comprising the steps of: providing an electronic network through which a camera provider electronically communicates with a consumer to generate a contract, said contract comprising the terms for: offering by said camera provider to provide said camera for a commitment by the consumer to purchase at least a first amount of image reproductions from a specified image processor within a selected amount of time, and committing by said consumer to purchase at least the first amount of image reproductions from said image processor within the selected amount of time; determining via said electronic network that the consumer has at least one of a plurality of financial instruments; providing the consumer with the camera, in response to the consumer entering into the commitment and determining via said electronic network that said consumer has at least one of the plurality financial instruments; connecting said camera to electronically communicate via said electronic network to said image processor and transferring images acquired by said camera to said image processor; and printing reproductions of at least one of the images having access restricted to said image processor.

Art Unit: 3625

Therefore, the method and system disclosed by Segal fails to anticipate the above bolded unique limitations or render them obvious.

(ii) US 5,974,401 to Enomoto discloses a method and system for uploading from a camera current photos to a photo-finisher for printing of the photos. However, Zander does not disclose, teach or suggested a method, system or medium for providing cameras to consumers in exchange for a commitment, the method comprising the steps of: providing an electronic network through which a camera provider electronically communicates with a consumer to generate a contract, said contract comprising the terms for: offering by said camera provider to provide said camera for a commitment by the consumer to purchase at least a first amount of image reproductions from a specified image processor within a selected amount of time, and committing by said consumer to purchase at least the first amount of image reproductions from said image processor within the selected amount of time; determining via said electronic network that the consumer has at least one of a plurality of financial instruments; providing the consumer with the camera; in response to the consumer entering into the commitment and determining via said electronic network that said consumer has at least one of the plurality financial instruments; connecting said camera to electronically communicate via said electronic network to said image processor and transferring images acquired by said camera to said image processor; and printing reproductions of at least one of the images having access restricted to

Art Unit: 3625

said image processor. Therefore, the method disclosed by Enomoto fails to anticipate the above bolded unique limitations or render them obvious.

B. Non Patent Literature

(iv) "Kodak Tries to Inspire More Picture – Taking in India with Rentals"; Rasul Bailiy; Asian Wall Street Journal; Jan 15, 1999 discloses a method and system of providing loaded camera's with a set amount of film for renting. The rental is limited to a week or when the set amount of film shoots is taken. The consumer then return's with the camera to a store/shop to obtain the services for developing the film. However, Kodak does not disclose that consumer must return to the same shop nor does the reference disclose uploading of photos to a specific image processor, which was tied to the original rental agreement. Thereby, the system disclosed by Kodak fails to anticipate the above bolded unique limitations or render them obvious.

C. Foreign Patent Literature

(vi) JP 08037637 A to Nippon discloses a digital still camera with pick-up device, which performs picture recording in a smoother fashion. However, Nippon does not disclose a camera obtained for a commitment for developing a set amount of photos nor does the reference disclose uploading of photos to a specified image

Art Unit: 3625

processor. Thereby, this system disclosed by Nippon fails to anticipate the above bolded unique limitations or render them obvious.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Rhode whose telephone number is 571.272.6761. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571.272.7159.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

571-273-8300

[Official communications; including

After Final communications labeled

"Box AF"]


Art Unit: 3625

For general questions the receptionist can be reached
at 571.272.3600

Information regarding the status of an application may be obtained
from the

Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR
only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.
If you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free). RER



WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600